

Actual Performance for Output/Efficiency Measures
80th Regular Session, Performance Reporting
Automated Budget and Evaluation System of Texas (ABEST)

DATE: **10/6/2009**
TIME: **10:18:04AM**
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Agency code: **448**

Agency name: **Office of Injured Employee Counsel**

Type/Strategy/Measure	2009 Target	2009 Actual	2009 YTD	Percent of Annual Target
Output Measures				
<u>1-1-1 PARTICIPATE IN RULEMAKING</u>				
1 NUMBER OF RULES ANALYZED BY OIEC				
Quarter 1	22.00	4.00	4.00	18.18 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance (TDI) and Division of Workers' Compensation (DWC) rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code §§404.101 and 404.104. OIEC has no control over TDI's and DWC's rulemaking initiatives and did not meet the target because less rules were adopted by TDI and DWC during the first half of FY 2009 than projected. This resulted in less rules analyzed by OIEC. OIEC believes less rules were adopted by TDI and DWC in preparation and as a result of the 81st Texas Legislative Session.				
Quarter 2	22.00	1.00	5.00	22.73 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance (TDI) and Division of Workers' Compensation (DWC) rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code §§404.101 and 404.104. OIEC has no control over TDI's and DWC's rulemaking initiatives and did not meet the target because less rules were adopted by TDI and DWC during the first half of FY 2009 than projected. This resulted in less rules analyzed by OIEC. OIEC believes less rules were adopted by TDI and DWC in preparation and as a result of the 81st Texas Legislative Session.				
Quarter 3	22.00	5.00	10.00	45.45 % *
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Quarter 4	22.00	0.00	10.00	45.45 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance (TDI) and Division of Workers' Compensation (DWC) rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code §§404.101 and 404.104. OIEC has no control over TDI's and DWC's rulemaking initiatives and did not meet the target because less rules were adopted by TDI and DWC during FY 2009 than projected. This resulted in less rules analyzed by OIEC. OIEC believes less rules were adopted by TDI and DWC in preparation for and as a result of the 81st Texas Legislative Session.				

* Varies by 5% or more from target.

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Output Measures				
2 # RULE PROCESS W/OIEC PARTICIPATION				
Quarter 1	17.00	2.00	2.00	11.76 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance (TDI) and Division of Workers' Compensation (DWC) rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code §§404.101 and 404.104. OIEC has no control over TDI's and DWC's rulemaking initiatives and did not meet the target because less rules were adopted by TDI and DWC during the first half of FY 2009 than projected. This resulted in less rules analyzed by OIEC. OIEC believes less rules were adopted by TDI and DWC in preparation and as a result of the 81st Texas Legislative Session.				
Quarter 2	17.00	1.00	3.00	17.65 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance (TDI) and Division of Workers' Compensation (DWC) rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code §§404.101 and 404.104. OIEC has no control over TDI's and DWC's rulemaking initiatives and did not meet the target because less rules were adopted by TDI and DWC during the first half of FY 2009 than projected. This resulted in less rules analyzed by OIEC. OIEC believes less rules were adopted by TDI and DWC in preparation and as a result of the 81st Texas Legislative Session.				
Quarter 3	17.00	5.00	8.00	47.06 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance (TDI) and Division of Workers' Compensation (DWC) rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code §§404.101 and 404.104. OIEC has no control over TDI's and DWC's rulemaking initiatives and did not meet the target because less rules were adopted by TDI and DWC during the first three quarters of FY 2009 than projected. This resulted in less rules analyzed by OIEC. OIEC believes less rules were adopted by TDI and DWC in preparation for and as a result of the 81st Texas Legislative Session.				
Quarter 4	17.00	0.00	8.00	47.06 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance (TDI) and Division of Workers' Compensation (DWC) rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code §§404.101 and 404.104. OIEC has no control over TDI's and DWC's rulemaking initiatives and did not meet the target because less rules were adopted by TDI and DWC during FY 2009 than projected. This resulted in less rules analyzed by OIEC. OIEC believes less rules were adopted by TDI and DWC in preparation for and as a result of the 81st Texas Legislative Session.				

3-1-1 OMBUDSMAN PROGRAM

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Output Measures				
2 # OF BRC W/ OMBUDSMAN ASSISTANCE				
Quarter 1	8,000.00	1,195.00	1,195.00	14.94 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) became operational in March 2006. Targets for OIEC's performance measures were based on the limited data available to the agency at the time and fewer Benefit Review Conferences were held during the first quarter of FY 2009 than projected.				
Quarter 2	8,000.00	1,047.00	2,242.00	28.03 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) became operational in March 2006. Targets for OIEC's performance measures were based on the limited data available to the agency at the time of the projection and fewer Benefit Review Conferences (BRC's) were held during the first half of FY 2009 than projected. OIEC believes that fewer BRC's were held due to the agency's early intervention efforts as a result of efficiencies created by the Ombudsman Program and the Customer Service Program initiative to resolve disputes prior to a proceeding.				
Quarter 3	8,000.00	1,113.00	3,355.00	41.94 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) became operational in March 2006. Targets for OIEC's performance measures were based on the limited data available to the agency at the time of the projection and fewer Benefit Review Conferences (BRC's) were held during the first three quarters of FY 2009 than projected. OIEC believes that fewer BRC's were held due to the agency's early intervention efforts as a result of efficiencies created by the Ombudsman Program and the Customer Service Program initiative to resolve disputes prior to a proceeding.				
Quarter 4	8,000.00	1,129.00	4,484.00	56.05 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) became operational in March 2006. Targets for OIEC's performance measures were based on the limited data available to the agency at the time of the projection and fewer Benefit Review Conferences (BRC's) were held during FY 2009 than projected. OIEC believes that fewer BRC's were held due to the agency's early intervention efforts as a result of efficiencies created by the Ombudsman Program and the Customer Service Program initiative to resolve disputes prior to a proceeding.				

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Output Measures				
4 # OF CCH W/ OMBUDSMAN ASSISTANCE				
Quarter 1	2,700.00	499.00	499.00	18.48 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) became operational in March 2006. Targets for OIEC's performance measures were based on the limited data available to the agency at the time and fewer Contested Case Hearings were held during the first quarter of FY 2009 than projected.				
Quarter 2	2,700.00	524.00	1,023.00	37.89 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) became operational in March 2006. Targets for OIEC's performance measures were based on the limited data available to the agency at the time of the projection and fewer Contested Case Hearings (CCH's) were held during the first half of FY 2009 than projected. OIEC believes that fewer CCH's were held due to the agency's early intervention efforts as a result of efficiencies created by the Ombudsman Program and the Customer Service Program initiative to resolve disputes prior to a proceeding.				
Quarter 3	2,700.00	549.00	1,572.00	58.22 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) became operational in March 2006. Targets for OIEC's performance measures were based on the limited data available to the agency at the time of the projection and fewer Contested Case Hearings (CCH's) were held during the first three quarters of FY 2009 than projected. OIEC believes that fewer CCH's were held due to the agency's early intervention efforts as a result of efficiencies created by the Ombudsman Program and the Customer Service Program initiative to resolve disputes prior to a proceeding.				
Quarter 4	2,700.00	484.00	2,056.00	76.15 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) became operational in March 2006. Targets for OIEC's performance measures were based on the limited data available to the agency at the time of the projection and fewer Contested Case Hearings (CCH's) were held during FY 2009 than projected. OIEC believes that fewer CCH's were held due to the agency's early intervention efforts as a result of efficiencies created by the Ombudsman Program and the Customer Service Program initiative to resolve disputes prior to a proceeding.				

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5 # OF OMBUDSMAN APPEAL PREPS				
Quarter 1	875.00	126.00	126.00	14.40 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) became operational in March 2006. Targets for OIEC's performance measures were based on the limited data available to the agency at the time and fewer injured employees were assisted during the first quarter of FY 2009 than projected.				
Quarter 2	875.00	167.00	293.00	33.49 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) became operational in March 2006. Targets for OIEC's performance measures were based on the limited data available to the agency at the time of the projection and fewer injured employees were assisted during the first half of FY 2009 than projected. OIEC believes that fewer appeals were requested due to the agency's early intervention efforts as a result of efficiencies created by the Ombudsman Program and the Customer Service Program initiative to resolve disputes prior to a proceeding.				
Quarter 3	875.00	142.00	435.00	49.71 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) became operational in March 2006. Targets for OIEC's performance measures were based on the limited data available to the agency at the time of the projection and fewer injured employees were assisted during the first three quarters of FY 2009 than projected. OIEC believes that fewer appeals were requested due to the agency's early intervention efforts as a result of efficiencies created by the Ombudsman Program and the Customer Service Program initiative to resolve disputes prior to a proceeding.				
Quarter 4	875.00	129.00	564.00	64.46 % *
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) became operational in March 2006. Targets for OIEC's performance measures were based on the limited data available to the agency at the time of the projection and fewer injured employees were assisted during FY 2009 than projected. OIEC believes that fewer appeals were requested due to the agency's early intervention efforts as a result of efficiencies created by the Ombudsman Program and the Customer Service Program initiative to resolve disputes prior to a proceeding.				

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